

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Gardner

I, or we, Rodney D. & Ruth M. Gardner, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herely petition for a Variance from Section _____

_____ to allow _____ to be constructed in _____
in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Aesthetic and practical considerations also high topography in what normally would be considered front yard...also triangular shape of lot.

It is desired that the pool be located behind the house in the actual rear yard area, rather than the "theoretical" front yard. Lot is triangular shape having no appreciable "rear lot line". It comes to a point. Plus the pool will be further away from existing dwellings or proposed dwellings in the petitioner's desired pool location.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser _____
Address _____
Petitioner's Attorney _____
Address _____
Protstant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1980, at _____ o'clock _____ A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/S of Woodland Drive, 795' : OF BALTIMORE COUNTY
SW of Broadway Road, 8th District

RODNEY D. GARDNER, et ux, : Case No. 80-196-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

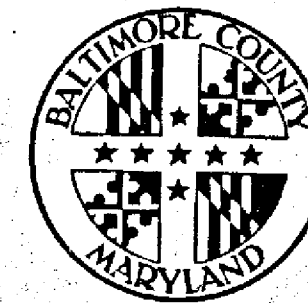
I HEREBY CERTIFY that on this 18th day of March, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Rodney D. Gardner, 2835 St. Paul Street, Baltimore, Maryland 21218, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Rodney D. Gardner
2835 Saint Paul Street
Baltimore, Maryland 21218

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this _____ day
of _____, 1980.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Rodney D. Gardner, et ux

Petitioner's Attorney _____ Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

March 13, 1980

Mr. & Mrs. Rodney D. Gardner
2835 Saint Paul Street
Baltimore, Maryland 21218

RE: Item No. 135
Petitioners-Rodney D. Gardner,
et ux
Variance Petition

Dear Mr. & Mrs. Gardner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

S-W Key Sheet
54 NW 16 & 17 Pos. Sheets
NW 14 D & E Topo
59 Tax Map

February 4, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #135 (1979-1980)
Property Owner: Rodney D. & Ruth M. Gardner
N/W Woodland Dr. 795' S/W Broadway Rd.
Existing Zoning: DC 5
Proposed Zoning: Variance to permit an accessory structure (pool) to be located outside the rear yard.
Acres: 2.19 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as required by Public Works Agreement #87807, executed in conjunction with the development of "Woodland Estates" (formerly Latham Property), of which this property comprises Lot 4, Block "A" of the plat "Woodland Estates", recorded E.H.K., Jr. 43, Folio 118.

There is a Baltimore County 10-foot drainage and utility easement at the rear of this property which is located in the 8th Election District and has not been indicated on the submitted plan.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 135 (1979-1980).

Very truly yours,
Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss
cc: J. Wimbley



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

March 10, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #135, Zoning Advisory Committee Meeting, January 2, 1980, are as follows:

Property Owner: Rodney D. and Ruth M. Gardner
Location: NW/S Woodland Drive 795' SW Broadway Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit an accessory structure (pool) to be located outside the rear yard
Acres: 2.19
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 21, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 135, Zoning Advisory Committee Meeting of January 2, 1980, are as follows:

Property Owner: Rodney D. & Ruth M. Gardner
Location: NW/S Woodland Dr. 795' SW Broadway Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit an accessory structure (pool) to be located outside the rear yard.
Acres: 2.19
District: 8th

The proposed dwelling will be served by a private water well and sewage disposal system. The proposed pool location will not interfere with the location of the well or sewage disposal system, therefore no health hazards are anticipated. Prior to occupancy approval, a bacteriological sample of the well water must be collected to verify the potability of the water supply.

Very truly yours,
Ian J. Forrest
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF:ph

ORDER RECEIVED FOR FILING

DATE April 3, 1980

BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of April, 1980, that the herein Petition for Variance(s) to permit an accessory structure (swimming pool) to be constructed in the front yard in lieu of the required rear yard should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Nick Commodari
Mr. Charles E. Burnham, Chief
FROM: Plans Review
Zoning Advisory Committee
SUBJECT: Meeting of January 2, 1980
Date: January 15, 1980

- | | |
|--------------|-----------------------------------|
| ITEM NO. 125 | Standard Comments Only |
| ITEM NO. 126 | See Comments |
| ITEM NO. 127 | Standard Comments |
| ITEM NO. 128 | See Comments |
| ITEM NO. 129 | See Comments |
| ITEM NO. 130 | Existing, No changes, No Comments |
| ITEM NO. 131 | See Comments |
| ITEM NO. 132 | Standard Comment |
| ITEM NO. 133 | See Comments |
| ITEM NO. 134 | See Comments |
| ITEM NO. 135 | Standard Comments |
| ITEM NO. 136 | See Comments |

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CER:rrj



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

January 28, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Rodney D. & Ruth M. Gardner

Location: NW/S Woodland Dr. 795' SW Broadway Rd.

Item No: 135 Zoning Agenda: Meeting of 1/2/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. McGehee* Noted and Approved: *George M. McGehee*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 11, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: January 2, 1980

RE: Item No: 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

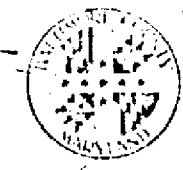
Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 3, 1980

Mr. & Mrs. Rodney D. Gardner
2835 St. Paul Street
Baltimore, Maryland 21218

RE: Petition for Variance
NW/S of Woodland Drive, 795' SW
of Broadway Road - 8th Election District
Rodney D. Gardner, et ux - Petitioners
NO. 80-196-A (Item No. 135)

Dear Mr. & Mrs. Gardner:

I have this date passed my Order in the above captioned matter in accordance with the attached.

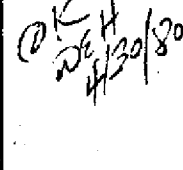
Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel



Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 80-196-A
Building Permit Application
No. RS 25349
8th Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

Rodney D. Gardner
Ruth M. Gardner

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDDINS ASSOCIATES, INC.
Engineers, Surveyors, and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

December 17, 1979

DESCRIPTION TO ACCOMPANY APPLICATION FOR ZONING VARIANCE:

Beginning for the same at a point on the north side of Woodland Drive (50 feet wide) said point being distant 795 feet more or less measured westerly along the north side of said Woodland Drive from its intersection with the centerline of Broadway Road (60 feet wide) thence being all of lot 4 as shown on the plat of Woodland Estates recorded among the plat records of Baltimore County in plat book 43 folio 118.

Containing 2.19 acres of land more or less.



Malcolm E. Hudkins
Registered Surveyor #5095

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
John D. Seyffert, Director
Office of Planning and Zoning
FROM: Petition No. 80-196-A Item 135
SUBJECT: Petition for Variance

Petition for Variance
Northwest side of Woodland Drive, 795 feet Southwest of Broadway Road
Petitioner - Rodney D. Gardner, et ux

Eighth District

HEARING: Thursday, March 27, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:ab

PETITION FOR VARIANCE
8th DISTRICT

ZONING: Petition for Variance.
LOCATION: Northwest side of
Woodland Drive, 795 feet South-
west of Broadway Road.
DATE & TIME: Thursday, March
27, 1980 at 9:45 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing:
Petition for Variance to allow a
swimming pool to be constructed in
the front yard in lieu of the requir-
ed rear yard.
The Zoning Regulation to be ex-
cepted as follows:
Section 400.1 - Accessory buildings
in residence zones.
All that parcel of land in the
Eighth District of Baltimore Coun-
ty
Beginning for the same at a point
on the north side of Woodland Drive
(50 feet wide) said point being dis-
tant 795 feet more or less measured
westerly along the north side of
said Woodland Drive from its in-
tersection with the centerline of
Broadway Road (69 feet wide)
thence being all of lot 4 as shown on
the plat of Woodland Estates re-
corded among the plat records of
Baltimore County in plat book 43
folio 118.
Containing 2.19 acres of land more
or less.
Being the property of Rodney D.
Gardner, et ux, as shown on plat
plan filed with the Zoning Depart-
ment.
Hearing Date: Thursday, March
27, 1980 at 9:45 A.M.
Public Hearing: Room 106, Coun-
ty Office Building, 111 W. Chesa-
peake Avenue, Towson, Maryland.
By Order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Mar. 6.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 6, 1980

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on March 6, 1980,
of one time, before the 27th
day of March, 1980, the first publication
appearing on the 6th day of March,
1980.

THE JEFFERSONIAN,
L. Leank Stricker
Manager.

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 28 day of DEC, 1979.

Filing Fee \$ 25

Received: Check

Cash NOT RECEIVED
Other YES

Petitioner *GARDNER*

Submitted by *MR. GARDNER*

Petitioner's Attorney

Reviewed by *WEL*

*This is not to be interpreted as acceptance of the Petition for assignment of a
hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WEL</i>										
Previous case: <i>—</i>										
Revised Plans: Change in outline or description										
Map #										

PETITION FOR VARIANCE

8th District
Zoning: Petition for Variance
Location: Northwest side of
Woodland Drive, 795 feet
southwest of Broadway road.
Date & Time: Thursday,
March 27, 1980 at 9:45 A.M.
Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of
the Zoning Act and Regula-
tions of Baltimore County,
will hold a public hearing:

Petition for Variance to allow
a swimming pool to be
constructed in the front yard in
lieu of the required rear yard.

The Zoning Regulation to be
excepted as follows:

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buildings in residence zones.
All that parcel of land in the
Eighth District of Baltimore
County

Beginning for the same at a
point on the north side of
Woodland Drive (50 feet wide)
said point being distant 795 feet
more or less measured westerly
along the north side of said
Woodland Drive from its
intersection with the centerline
of Broadway Road (69 feet wide)

thence being all of lot 4 as
shown on the plat of Woodland
Estates recorded among the
plat records of Baltimore
County in plat book 43, folio
118.

Containing 2.19 acres of land
more or less.

Being the property of Rodney
D. Gardner, et ux, as shown on
plat plan filed with the Zoning
Department.

Hearing Date:
THURSDAY, MARCH 27, 1980
AT 9:45 A.M.

Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

BY ORDER OF
WILLIAM E. HAMMOND
Zoning Commissioner
of Baltimore County

The Essex Times

Essex, Md., March 6, 1980

This is to Certify, That the annexed

Rodney D. Gardner

was inserted in The Essex Times, a newspaper
printed and published in Baltimore County, once in
each of one successive

weeks before the 6th day of

March, 1980

Charles C. Gardner Publisher.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86304

DATE February 26, 1980 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Rodney D. Gardner

FOR: Filing Fee for Case No. 80-196-A

1113 FEB 27

25.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86377

DATE April 1, 1980 ACCOUNT 01-662

AMOUNT \$19.38

RECEIVED FROM: Rodney D. Gardner

FOR: Advertising and Posting for Case No. 80-196-A

1170 APR 2

49384

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8 Date of Posting 3/3/80

Posted for: Petition for Variance

Petitioner: Rodney D. Gardner

Location of property: 1115 Woodland Dr. 795' SW
Broadway Rd.

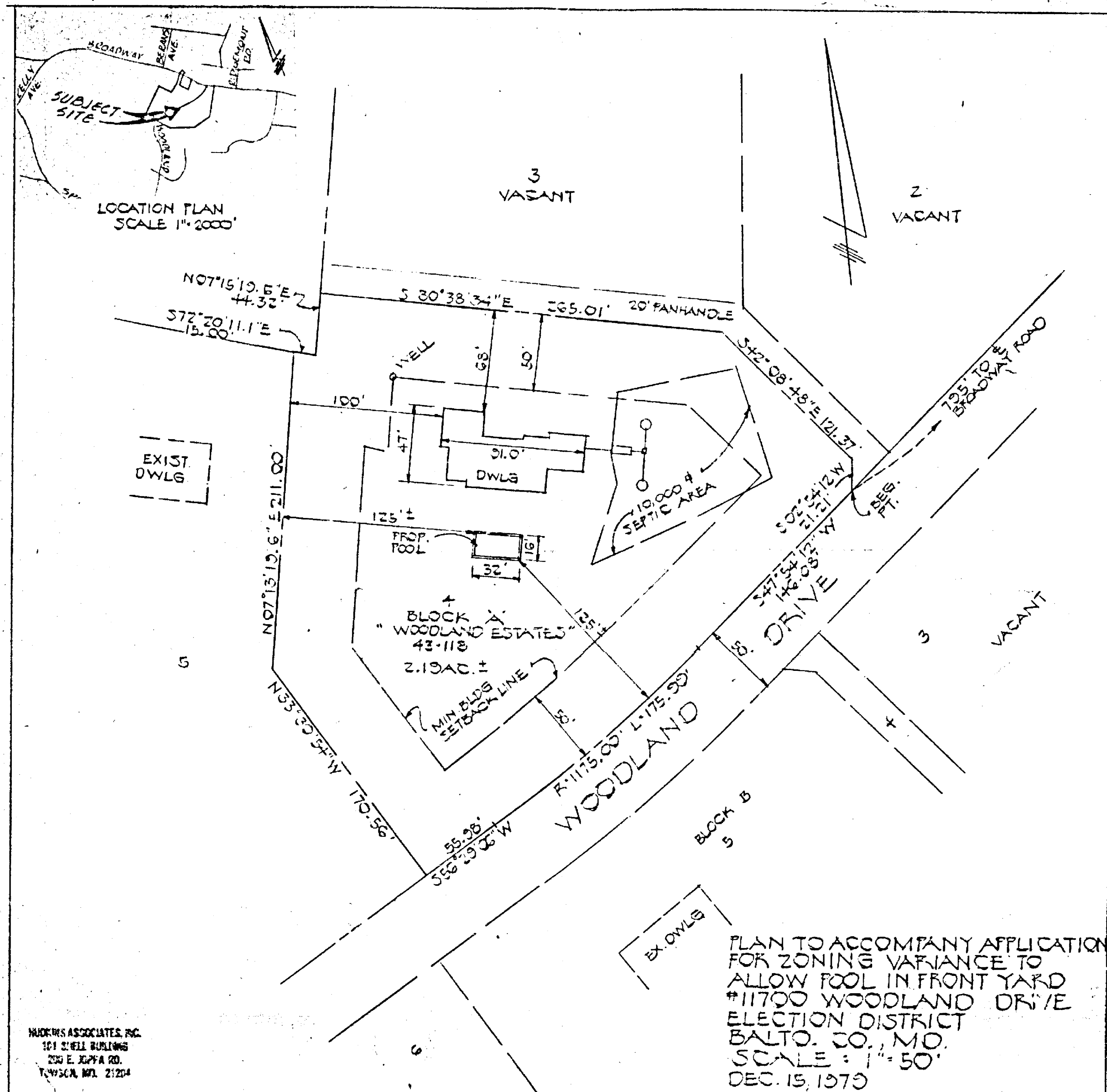
Location of Signs: corner of Broadway Rd & proposed
Woodland Dr.

Remarks: Woodland Dr. does not yet exist!

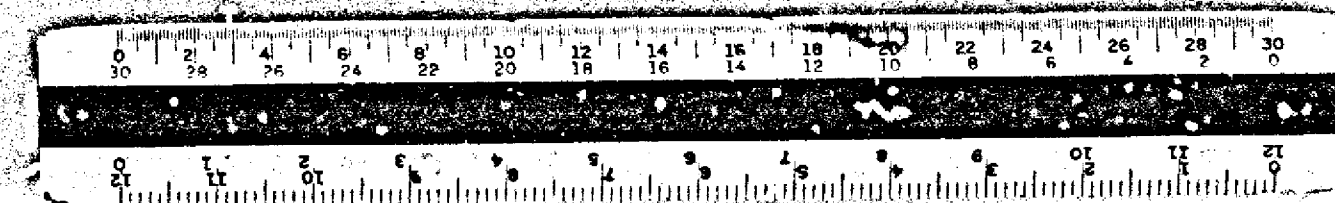
Posted by: *WEL* Signature

Date of return:

1 sign



WILKINS ASSOCIATES, INC.
101 S. HILL BUILDING
230 E. JUPITER RD.
TOWSON, MD. 21204



PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Gardner

I, or we, Rodney D. & Ruth M. Gardner, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herely petition for a Variance from Section _____

_____ to allow _____ to be constructed in _____
in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Aesthetic and practical considerations also high topography in what normally would be considered front yard...also triangular shape of lot.

It is desired that the pool be located behind the house in the actual rear yard area, rather than the "theoretical" front yard. Lot is triangular shape having no appreciable "rear lot line". It comes to a point. Plus the pool will be further away from existing dwellings or proposed dwellings in the petitioner's desired pool location.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser _____
Address _____
Petitioner's Attorney _____
Address _____
Protellant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 2nd _____ day

of _____ JANUARY _____, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ 27th _____ day of _____ March _____, 1980, at _____ o'clock _____ A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/S of Woodland Drive, 795' : OF BALTIMORE COUNTY
SW of Broadway Road, 8th District

RODNEY D. GARDNER, et ux, : Case No. 80-196-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

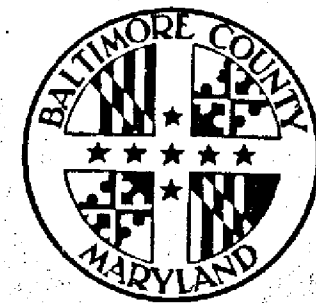
I HEREBY CERTIFY that on this 18th day of March, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Rodney D. Gardner, 2835 St. Paul Street, Baltimore, Maryland 21218, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Rodney D. Gardner
2835 Saint Paul Street
Baltimore, Maryland 21218

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this _____ 2nd _____ day
of _____ January _____, 1980.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Rodney D. Gardner, et ux

Petitioner's Attorney _____ Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

March 13, 1980

Mr. & Mrs. Rodney D. Gardner
2835 Saint Paul Street
Baltimore, Maryland 21218

RE: Item No. 135
Petitioners-Rodney D. Gardner,
et ux
Variance Petition

Dear Mr. & Mrs. Gardner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

S-W Key Sheet
54 NW 16 & 17 Pos. Sheets
NW 14 D & E Topo
59 Tax Map

February 4, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #135 (1979-1980)
Property Owner: Rodney D. & Ruth M. Gardner
N/W Woodland Dr. 795' S/W Broadway Rd.
Existing Zoning: DC 5
Proposed Zoning: Variance to permit an accessory structure (pool) to be located outside the rear yard.
Acres: 2.19 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as required by Public Works Agreement #87807, executed in conjunction with the development of "Woodland Estates" (formerly Latham Property), of which this property comprises Lot 4, Block "A" of the plat "Woodland Estates", recorded E.H.K., Jr. 43, Folio 118.

There is a Baltimore County 10-foot drainage and utility easement at the rear of this property which is located in the 8th Election District and has not been indicated on the submitted plan.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 135 (1979-1980).

Very truly yours,
Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss
cc: J. Wimbley



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

March 10, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #135, Zoning Advisory Committee Meeting, January 2, 1980, are as follows:

Property Owner: Rodney D. and Ruth M. Gardner
Location: NW/S Woodland Drive 795' SW Broadway Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit an accessory structure (pool) to be located outside the rear yard
Acres: 2.19
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 21, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 135, Zoning Advisory Committee Meeting of January 2, 1980, are as follows:

Property Owner: Rodney D. & Ruth M. Gardner
Location: NW/S Woodland Dr. 795' SW Broadway Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit an accessory structure (pool) to be located outside the rear yard.
Acres: 2.19
District: 8th

The proposed dwelling will be served by a private water well and sewage disposal system. The proposed pool location will not interfere with the location of the well or sewage disposal system, therefore no health hazards are anticipated. Prior to occupancy approval, a bacteriological sample of the well water must be collected to verify the potability of the water supply.

Very truly yours,
Ian J. Forrest
IAN J. FORREST
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF:ph

ORDER RECEIVED FOR FILING

DATE April 3, 1980 BY

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of April, 1980, that the herein Petition for Variance(s) to permit an accessory structure (swimming pool) to be constructed in the front yard in lieu of the required rear yard should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of , 19, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Nick Commodari
Mr. Charles E. Burnham, Chief
FROM: Plans Review
Zoning Advisory Committee
SUBJECT: Meeting of January 2, 1980
Date: January 15, 1980

ITEM NO. 125 Standard Comments Only
ITEM NO. 126 See Comments
ITEM NO. 127 Standard Comments
ITEM NO. 128 See Comments
ITEM NO. 129 See Comments
ITEM NO. 130 Existing, No changes, No Comments
ITEM NO. 131 See Comments
ITEM NO. 132 Standard Comment
ITEM NO. 133 See Comments
ITEM NO. 134 See Comments
ITEM NO. 135 Standard Comments
ITEM NO. 136 See Comments

Charles E. Burnham, Chief
Plans Review

CER:rrj



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

January 28, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Rodney D. & Ruth M. Gardner

Location: NW/S Woodland Dr. 795' SW Broadway Rd.

Item No: 135 Zoning Agenda: Meeting of 1/2/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. McGehee* Noted and Approved: *George M. McGehee*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 11, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: January 2, 1980

RE: Item No: 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

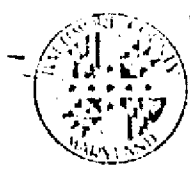
Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 3, 1980

Mr. & Mrs. Rodney D. Gardner
2835 St. Paul Street
Baltimore, Maryland 21218

RE: Petition for Variance
NW/S of Woodland Drive, 795' SW
of Broadway Road - 8th Election District
Rodney D. Gardner, et ux - Petitioners
NO. 80-196-A (Item No. 135)

Dear Mr. & Mrs. Gardner:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 80-196-A
Building Permit Application
No. RS 25349
8th Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

Rodney D. Gardner
Ruth M. Gardner

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDDINS ASSOCIATES, INC.
Engineers, Surveyors, and
Landscape Architects

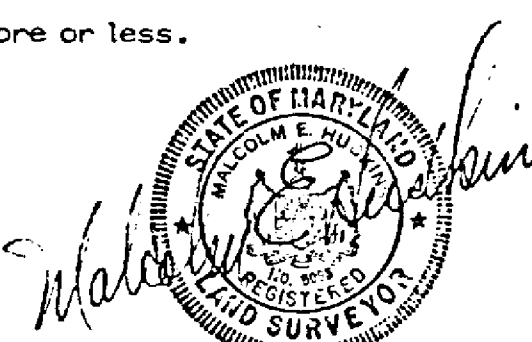
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

December 17, 1979

DESCRIPTION TO ACCOMPANY APPLICATION FOR ZONING VARIANCE:

Beginning for the same at a point on the north side of Woodland Drive (50 feet wide) said point being distant 795 feet more or less measured westerly along the north side of said Woodland Drive from its intersection with the centerline of Broadway Road (60 feet wide) thence being all of lot 4 as shown on the plat of Woodland Estates recorded among the plat records of Baltimore County in plat book 43 folio 118.

Containing 2.19 acres of land more or less.



Malcolm E. Hudkins
Registered Surveyor #5095

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
John D. Seyffert, Director
Office of Planning and Zoning
FROM: Petition No. 80-196-A Item 135
SUBJECT: Petition for Variance

Petition for Variance
Northwest side of Woodland Drive, 795 feet Southwest of Broadway Road
Petitioner - Rodney D. Gardner, et ux

Eighth District

HEARING: Thursday, March 27, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:ab

PETITION FOR VARIANCE
8th DISTRICT

ZONING: Petition for Variance.
LOCATION: Northwest side of
Woodland Drive, 795 feet South-
west of Broadway Road.
DATE & TIME: Thursday, March
27, 1980 at 9:45 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing:
Petition for Variance to allow a
swimming pool to be constructed in
the front yard in lieu of the requir-
ed rear yard.
The Zoning Regulation to be ex-
cepted as follows:
Section 400.1 - Accessory buildings
in residence zones.
All that parcel of land in the
Eighth District of Baltimore Coun-
ty
Beginning for the same at a point
on the north side of Woodland Drive
(50 feet wide) said point being dis-
tant 795 feet more or less measured
westerly along the north side of
Woodland Drive from its in-
tersection with the centerline of
Broadway Road (69 feet wide)
thence being all of lot 4 as shown on
the plat of Woodland Estates re-
corded among the plat records of
Baltimore County in plat book 43
folio 118.
Containing 2.19 acres of land more
or less.
Being the property of Rodney D.
Gardner, et ux, as shown on plat
plan filed with the Zoning Depart-
ment.
Hearing Date: Thursday, March
27, 1980 at 9:45 A.M.
Public Hearing: Room 106, Coun-
ty Office Building, 111 W. Chesa-
peake Avenue, Towson, Maryland.
By Order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Mar. 6.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 6, 1980

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on March 6, 1980,
of one time, before the 27th
day of March, 1980, the first publication
appearing on the 6th day of March,
1980.

THE JEFFERSONIAN,
L. Leank Stricker
Manager.

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 28 day of DEC, 1979

Filing Fee \$ 25

Received:

Check

Cash

Other

NOT
RECEIVED
YET

Petitioner *GARDNER*

Submitted by *MR. GARDNER*

Petitioner's Attorney

Reviewed by *WEL*

*This is not to be interpreted as acceptance of the Petition for assignment of a
hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WEL</i>										
Previous case:										
Revised Plans: Change in outline or description										
Map #										

PETITION FOR VARIANCE

8th District
Zone: g. Petition for Variance
Location: Northwest side of
Woodland Drive, 795 feet
southwest of Broadway road.
Date & Time: Thursday,
March 27, 1980 at 9:45 A.M.
Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of
the Zoning Act and Regula-
tions of Baltimore County,
will hold a public hearing:

Petition for Variance to allow
a swimming pool to be
constructed in the front yard in
lieu of the required rear yard.

The Zoning Regulation to be
excepted as follows:

Section 400.1 - Accessory
buildings in residence zones.
All that parcel of land in the
Eighth District of Baltimore
County

Beginning for the same at a
point on the north side of
Woodland Drive (50 feet wide)
said point being distant 795 feet
more or less measured westerly
along the north side of said
Woodland Drive from its
intersection with the centerline
of Broadway Road (69 feet wide)

thence being all of lot 4 as
shown on the plat of Woodland
Estates recorded among the
plat records of Baltimore
County in plat book 43, folio
118.

Containing 2.19 acres of land
more or less.

Being the property of Rodney
D. Gardner, et ux, as shown on
plat plan filed with the Zoning
Department.

Hearing Date:

THURSDAY, MARCH 27, 1980
AT 9:45 A.M.

Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

BY ORDER OF
WILLIAM E. HAMMOND
Zoning Commissioner
of Baltimore County

The Essex Times

Essex, Md., March 6, 1980

This is to Certify, That the annexed

Rodney D. Gardner

was inserted in The Essex Times, a newspaper

printed and published in Baltimore County, once in

each of one successive

weeks before the 6th day of

March, 1980

Publisher.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86304

DATE February 26, 1980 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Rodney D. Gardner

FOR: Filing Fee for Case No. 80-196-A

1113 FEB 27

25.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86377

DATE April 1, 1980 ACCOUNT 01-662

AMOUNT \$19.38

RECEIVED FROM: Rodney D. Gardner

FOR: Advertising and Posting for Case No. 80-196-A

1170 APR 2

49384

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 8 Date of Posting: 3/3/80

Posted for: *Petition for Variance*

Petitioner: *Rodney D. Gardner*

Location of property: *1115 Woodland Dr. 795' SW
Broadway Rd.*

Location of Signs: *corner of Broadway Rd & proposed
Woodland Dr.*

Remarks: *Woodland Dr. does not yet exist!*

Posted by: *Wm. E. Hammond*

Date of return:

Signature

1 sign

WILKINS ASSOCIATES, INC.
101 S. HILL BUILDING
230 E. JUPITER RD.
TOWSON, MD. 21204

